

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

TIMOTHY HOGAN

PLAINTIFF

V.

NO. 4:17-CV-175-DMB-JMV

STATE OF MISSISSIPPI, et al.

DEFENDANTS

ORDER TRANSFERRING CASE

On December 11, 2017, Timothy Hogan filed a complaint against numerous defendants¹ alleging constitutional violations arising out of an alleged attack he suffered while incarcerated at the South Mississippi Correctional Institution. Doc. #1; Doc. #1-1 at 2. On February 19, 2018, the State of Mississippi and the Mississippi Department of Corrections (“MDOC”) answered the complaint, raising as a defense that venue in the Northern District of Mississippi is improper. Doc. #4 at 1. On March 2, 2018, the State and MDOC filed a “Motion to Transfer Venue and for Stay.” Doc. #6. Hogan did not respond to the motion.

On April 13, 2018, the Court received an e-mail from counsel for the State and MDOC, Tommy D. Goodwin, advising that Hogan agreed to transfer this case to the Southern District of Mississippi. Goodwin’s e-mail included a proposed agreed order granting the motion to transfer, which is signed and approved by all counsel of record.

Because the parties consent and stipulate that venue is proper in the Southern District of Mississippi, and that this case should be transferred to the Southern District of Mississippi, Southern Division, the motion to transfer [6] is **GRANTED in Part and DENIED in Part**. The motion is GRANTED to the extent it seeks transfer of this case to the Southern District of

¹ Hogan names as defendants the State, the Mississippi Department of Corrections, Clifton Wallace, Officer Betty LNU, Officer FNU Wittaker, and two unknown Mississippi Department of Corrections officers. Doc. #1.

Mississippi. The motion is DENIED as moot to the extent it seeks a stay. The Clerk of the Court is **DIRECTED** to transfer this case to the Southern District of Mississippi, Southern Division.

SO ORDERED, this 20th day of April, 2018.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE